



Office of the Governor of Guam

P.O. Box 2950 Hagåtña, Guam 96932
TEL: (671) 472-8931 • FAX: (671) 477-4826 • EMAIL: governor@mail.gov.gu

Felix P. Camacho
Governor

Michael W. Cruz, M.D.
Lieutenant Governor

2009 APR 22 PM 4:46

22 APR 2009

The Honorable Judith T. Won Pat, Ed.D.
Speaker
Mina' Trenta Na Liheslaturan Guåhan
155 Hessler Street
Hagåtña, Guam 96910

Dear Speaker Won Pat:

Transmitted herewith is Bill No. 46(COR) "AN ACT TO AMEND SUBSECTIONS 3101(d) AND 3101(o), CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101(d)(o)" which was signed into law on April 17, 2009 as Public Law 30-14.

Sinseru yan Magàhet,

[Handwritten signature of Michael W. Cruz]

MICHAEL W. CRUZ, M.D.
I Maga'làhen Guåhan para pa'go
Acting Governor of Guam

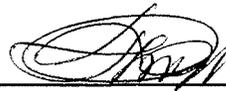
Attachment: copy of Bill

30-09-0496
Office of the Speaker
Judith T. Won Pat, Ed. D.
Date 4/22/09
Time
Received by

I MINA'TRENTA NA LIHESLATURAN GUÅHAN  
2009 (FIRST) Regular Session

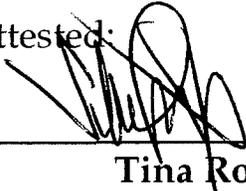
CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'LAHEN GUÅHAN

This is to certify that **Bill No. 46 (COR), "AN ACT TO AMEND SUBSECTIONS 3101 (d) AND 3101 (o), CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101(d),(o),"** was on the 3<sup>rd</sup> day of April, 2009, duly and regularly passed.



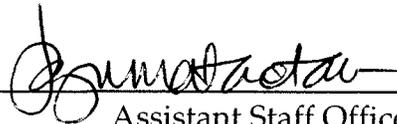
Judith T. Won Pat, Ed. D.  
Speaker

Attested:



Tina Rose Muña Barnes  
Senator and Secretary of the Legislature

This Act was received by *I Maga'lahaen Guåhan* this 6 day of April, 2009, at  
4:45 o'clock P.M.



Assistant Staff Officer  
Maga'laha's Office

APPROVED:



MIKE W. CRUZ, MD  
GOVERNOR OF GUAM ACTING

Date: 17 APR 2009

Public Law No. 30-14

*I MINA'TRENTA NA LIHESLATURAN GUÅHAN*  
**2009 (FIRST) Regular Session**

**Bill No. 46 (COR)**

As amended on the Floor.

Introduced by:

Adolpho B. Palacios, Sr.  
T. R. Muña Barnes  
T. C. Ada  
F. B. Aguon, Jr.  
F. F. Blas, Jr.  
E. J.B. Calvo  
B. J.F. Cruz  
J. V. Espaldon  
Judith Paulette Guthertz, DPA  
v. c. pangelinan  
M. J. Rector  
R. J. Respicio  
Ray Tenorio  
Telo Taitague  
Judith T. Won Pat, Ed. D.

**AN ACT TO *AMEND* SUBSECTIONS 3101 (d) AND 3101 (o),  
CHAPTER 3, TITLE 16, GUAM CODE ANNOTATED, TO  
PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED  
BY ANY OTHER TERRITORY, COMMONWEALTH, OR  
STATE OF THE UNITED STATES PURSUANT TO  
§3101(d),(o).**

1       **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2       **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds  
3 that many residents that possess a valid motorcycle operator's license issued in  
4 another territory, Commonwealth *or* state of the United States are finding it  
5 difficult to obtain a motorcycle operator's license in the territory of Guam.

1        *I Liheslaturan Guåhan* further finds that §3101 (d), Chapter 3, Title 16, Guam  
2 Code Annotated, provides reciprocity for persons who possess a valid operator’s  
3 and chauffeur’s license issued in another territory, Commonwealth *or* state of the  
4 United States, by waiving the requirement for a written *or* demonstration exam in  
5 order to get a Guam license, but, makes no mention of motorcycle licenses.

6        *I Liheslaturan Guåhan* further finds that the latest Cycle Safety Information  
7 Sheet released by the Motorcycle Safety Foundation indicates that forty-nine (49)  
8 of fifty (50) states in the nation already require some form of primary skills test  
9 and *or* written examination prior to issuing a motorcycle operator’s license. In  
10 addition, the information sheet also indicates that all fifty (50) states have a  
11 reciprocal license waiver program that recognizes licenses issued by other states *or*  
12 territories.

13        It is, therefore, the intent of *I Liheslaturan Guahan* to permit the use of  
14 motorcycle licenses issued by any other territory, Commonwealth, *or* state of the  
15 United States by amending Subsections 3101 (d) and (o), Chapter 3, Title 16,  
16 Guam Code Annotated.

17        **Section 2.** §3101 (d) of Chapter 3, Title 16, Guam Code Annotated, is  
18 hereby *amended* to read as follows:

19                “(d) A person having in his immediate possession a valid operator’s,  
20 chauffeur’s *or* motorcycle operator’s license issued by any other territory,  
21 Commonwealth, *or* state of the United States, may drive a motor vehicle *or* a  
22 motorcycle upon the roads and highways for a period *not exceeding* thirty  
23 (30) days from the date such person arrived on Guam. However, upon the  
24 expiration of such thirty (30) day period, such person must have been issued  
25 a Guam driver’s license in order to continue driving on Guam. Such person  
26 *shall* be exempted from taking the written driver’s license examination *or*  
27 demonstration test. Upon issuance of the Guam driver’s license, such person

1 *shall* surrender the driver's license previously issued by the other United  
2 States jurisdiction to the Division of Motor Vehicles of the Department of  
3 Revenue and Taxation, unless the Director of Revenue and Taxation has  
4 adopted other procedures for the disposition of the previously issued license  
5 from the other United States jurisdiction.

6 The thirty (30) days period herein may be extended for a period equal  
7 to the earlier of one (1) year from the date the licensee arrived on Guam *or*  
8 the expiration date of the out-of-Guam license, provided that the licensee, (i)  
9 registers his *or* her license with the Department of Revenue and Taxation;  
10 and (ii) pays a registration fee to the Treasurer of Guam *not to exceed*  
11 Twenty-five Dollars (\$25). Upon approval, the Department of Revenue and  
12 Taxation *shall* issue a Certificate of Registration that states, (i) the name and  
13 age of the licensee; (ii) the expiration date of the Certificate; and (iii) the  
14 licensee's out-of-Guam driver's licensee number.

15 The Department of Revenue and Taxation may withhold registration  
16 of an out-of-Guam license *if*, (i) the Department of Revenue and Taxation  
17 cannot verify *or* has cause to doubt the validity of such out-of-Guam license;  
18 (ii) the licensee is unable to document the date of entry into Guam; *or* (iii)  
19 the out-of-Guam license has been revoked *or* suspended by the jurisdiction  
20 issuing the license. The Department of Revenue and Taxation may require a  
21 prospective registrant to validate his license through passage of a written  
22 exam, road test *or* both."

23 **Section 3.** §3101 (o) of Chapter 3, Title 16, Guam Code Annotated, is  
24 hereby *amended* to read as follows:

25 "(o) After passing an examination as required under Subsection (g) to  
26 include an actual demonstration of ability to exercise ordinary and  
27 reasonable control in the operation of a motorcycle, *or* upon qualifying

1 under subsection (d) of this Section an applicant may have his operator's, or  
2 chauffeur's *or* motorcycle permit endorsed by the Director of Revenue and  
3 Taxation, *or* his designee, authorizing the applicant to operate a motorcycle  
4 on the highways of Guam. The Director of Revenue and Taxation may, in  
5 his discretion, accept evidence of a military motorcycle permit in lieu of this  
6 examination and endorsement. *No* person *shall* operate a motorcycle on the  
7 highway without first complying with this Section *except* that a person  
8 having in his immediate possession a valid motorcycle operator's license  
9 issued by any other territory *or* state of the United States, *or* by a foreign  
10 country, may operate a motorcycle upon the highways for a period *not*  
11 exceeding thirty (30) days from the date such person arrived in Guam. The  
12 requirement that the person pass an examination and receive an endorsement  
13 for operation of a motorcycle *shall not* be applicable to the operation of a  
14 motorcycle *or* when a sidecar is attached to the motorcycle. Any person  
15 who operates a motorcycle in violation of this Title *shall* be guilty of a petty  
16 misdemeanor."

6

# I MINA' TRENTA NA LIHESLATURAN GUÅHAN

2009 (FIRST) Regular Session

Date: April 3, 2009

## VOTING SHEET

Bill No. 46 (COR)

Resolution No. \_\_\_\_\_

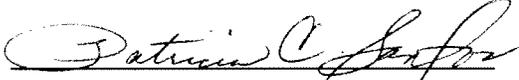
Question: \_\_\_\_\_

<u>NAME</u>	<u>YEAS</u>	<u>NAYS</u>	<u>NOT VOTING/ ABSTAINED</u>	<u>OUT DURING ROLL CALL</u>	<u>ABSENT</u>
ADA, Thomas C.	✓				
AGUON, Frank B., Jr.	✓				
BLAS, Frank F., Jr.	✓				
CALVO, Edward J.B.	✓				
CRUZ, Benjamin J. F.	✓				
ESPALDON, James V.	✓				
GUTHERTZ, Judith Paulette	✓				
MUNA-BARNES, Tina Rose	✓				
PALACIOS, Adolpho Borja, Sr.	✓				
PANGELINAN, vicente (ben) cabrera	✓				
RECTOR, Matthew	✓				
RESPICIO, Rory J.	✓				
TAITAGUE, Telo	✓				
TENORIO, Ray	✓				
WON PAT, Judith T.	✓				

TOTAL

15

CERTIFIED TRUE AND CORRECT:

  
 Clerk of the Legislature

\* 3 Passes = No vote  
 EA = Excused Absence



Thirtieth  
Guam Legislature

**COMMITTEE ON PUBLIC SAFETY,  
LAW ENFORCEMENT & SENIOR CITIZENS**  
*I Mina'Trenta na Liheslaturan Guåhan*  
**SENATOR ADOLPHO B. PALACIOS, SR.**  
*Chairman*

February 11, 2009

Committee on Public Safety,  
Law Enforcement &  
Senior Citizens  
Members:

Senator Adolpho B. Palacios, Sr.  
Chairman

Senator Ray Tenorio  
Vice Chairman

Speaker Judith T. Won Pat  
Member

Senator Thomas C. Ada  
Member

Senator Frank B. Aguon, Jr.  
Member

Senator Matt Rector  
Member

Senator Edward J.B. Calvo  
Member

Senator James V. Espaldon  
Member

Other Committee Membership:

- Vice Chairman, Committee on Economic Development, Health and Human Services, & Judiciary
- Vice Chairman, Committee on Utilities, Transportation, Public Works, & Veterans Affairs
- Vice Chairman, Committee on Labor, the Public Structure, Public Libraries & Technology
- Member, Committee on Rules

The Honorable Rory J. Respicio  
Senator and Chairman  
Committee on Rules, Natural Resources, Federal,  
Foreign, and Micronesia Affairs  
I Mina'Trenta na Liheslaturan Guåhan  
155 Hesler Place  
Hagåtña, Guam 96910

**RE: Committee Recommendation.**

Dear Senator Respicio:

The Committee on Public Safety, Law Enforcement, & Senior Citizens, to which was referred Bill No. 46 (COR): "AN ACT TO AMEND SUBSECTIONS 3101.(d) AND 3101.(o), CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED, TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101. (d), (o)," herein reports back with its recommendation.

Votes are as follows:

<u>7</u>	TO PASS
_____	NOT TO PASS
_____	TO REPORT OUT ONLY
_____	ABSTAIN
_____	INACTIVE FILE

Sincerely,

**ADOLPHO B. PALACIOS, SR., MPA, BS/CJA**

Attachments

2009 FEB 11 PM 1:53 - Wuuu



Thirtieth  
Guam Legislature

Committee on Public Safety,  
Law Enforcement &  
Senior Citizens  
Members:

Senator Adolpho B. Palacios, Sr.  
Chairman

Senator Ray Tenorio  
Vice Chairman

Speaker Judith T. Won Pat  
Member

Senator Thomas C. Ada  
Member

Senator Frank B. Aguon, Jr.  
Member

Senator Matt Rector  
Member

Senator Edward J.B. Calvo  
Member

Senator James V. Espaldon  
Member

Other Committee Membership:

- Vice Chairman, Committee on Economic Development, Health and Human Services, & Judiciary
- Vice Chairman, Committee on Utilities, Transportation, Public Works, & Veterans Affairs
- Vice Chairman, Committee on Labor, the Public Structure, Public Libraries & Technology
- Member, Committee on Rules

**COMMITTEE ON PUBLIC SAFETY,  
LAW ENFORCEMENT & SENIOR CITIZENS**

*I Mina'Trenta na Liheslaturan Guåhan*

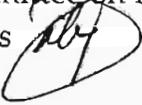
**SENATOR ADOLPHO B. PALACIOS, SR.**

*Chairman*

February 10, 2009

**MEMORANDUM**

**TO:** ALL MEMBERS  
Committee on Public Safety, Law Enforcement, & Senior Citizens

**FROM:** Chairman, Committee on Public Safety, Law Enforcement,  
& Senior Citizens 

**SUBJECT:** Voting Sheet.

Transmitted herewith are the voting sheet and the Committee Report on **Bill No. 46 (COR)** "AN ACT TO AMEND SUBSECTIONS 3101.(d) AND 3101.(o), CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED, TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101.(d),(o)." for your review and vote via signature.

Your attention to this matter is greatly appreciated.

Attachments

Office/Mailing Address: 155 Hesler Pl., Hagatna GU 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com



**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT  
& SENIOR CITIZENS**

**SENATOR ADOLPHO B. PALACIOS, SR.  
CHAIRMAN**

*I Mina'Trenta na Liheslaturan Guåhan*

**VOTING SHEET ON:**

**Bill No. 46 (COR) – "AN ACT TO AMEND SUBSECTIONS 3101.(d) AND 3101.(o), CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED, TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101.(d),(o)."**

SENATOR	SIGNATURE	TO PASS	NOT TO PASS	TO REPORT OUT ONLY	ABSTAIN	INACTIVE FILE
Adolpho B. Palacios, Sr. Chairman		✓				
Ray Tenorio Vice Chairman		✓				
Speaker Judith T. Won Pat Member		✓				
Thomas C. Ada Member		✓				
Frank B. Aguon, Jr. Member		✓				
Matt Rector Member		✓				
Edward J.B. Calvo Member		✓				
James V. Espaldon Member						

Office/Mailing Address: 155 Hesler Place, Hagatña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com

JAN 23 AM 11:00 fr

I MINA'TRENTA NA LIHESLATURAN GUÅHANO  
2009 (FIRST) Regular Session

Bill No. 46 (COR)

Introduced by:

Adolpho B. Palacios, Sr. 

---

AN ACT TO AMEND SUBSECTIONS 3101.(d) AND 3101.(o), CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101.(d),(o).

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF

GUAM:

1        **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds  
2 that many residents that possess a valid motorcycle operator license issued in  
3 another territory, Commonwealth or state of the United States are finding it  
4 difficult to obtain a motorcycle operators license in the Territory of Guam.

5        *I Liheslaturan Guahan* further finds that Title 16 Guam Code Annotated  
6 Chapter 3 Section 3101.(d) provides reciprocity for persons who possess a  
7 valid operators and chauffeur's license issued in another territory,

1 Commonwealth or state of the United States, by waiving the requirement for a  
2 written or demonstration exam in order to get a Guam license, but, makes no  
3 mention of motorcycles licenses.

4 *I Liheslaturan Guahan* further finds that the latest Cycle Safety Information  
5 Sheet released by the Motorcycle Safety Foundation indicates that 49 of 50  
6 states in the nation already require some form of primary skills test and or  
7 written examination prior to issuing a motorcycle operators license. In  
8 addition, the information sheet also indicates that all 50 states have a  
9 reciprocal license waiver program that recognizes licenses issued by other  
10 states or territories.

11 It is therefore, the intent of *I Liheslaturan Guahan* to permit the use of  
12 motorcycle licenses issued by any other territory, Commonwealth, or state of  
13 the United States by amending Title 16 Guam Code Annotated, Chapter 3,  
14 Subsection 3101 (d) and (o).

15 **Section 2.** §3101.(d) of Chapter 3, Title 16, Guam Code  
16 Annotated, is hereby *amended* to read as follows:

1           “(d) A person having in his immediate possession a valid operator’s,  
2 ~~license or~~ chauffeur’s or motorcycle operator’s license issued by any other  
3 territory, Commonwealth, or state of the United States, may drive a motor  
4 vehicle or a motorcycle upon the roads and highways for a period not  
5 exceeding thirty (30) days from the date such person arrived on Guam.  
6 However, upon the expiration of such thirty (30) day period, such person  
7 must have been issued a Guam driver’s license in order to continue driving on  
8 Guam. Such person shall be exempted from taking the written driver’s license  
9 examination or demonstration test. Upon issuance of the Guam driver’s  
10 license, such person shall surrender the driver’s license previously issued by  
11 the other United States jurisdiction, to the Division of Motor Vehicles of the  
12 Department of Revenue and Taxation, unless the Director of Revenue and  
13 Taxation has adopted other procedures for the disposition of the previously  
14 issued license from the other United States jurisdiction.

15           The thirty (30) days period herein may be extended for a period equal to  
16 the earlier of one (1) year from the date the licensee arrived on Guam or the  
17 expiration date of the out-of-Guam license, provided that the licensee (i)

1 registers his or her license with the Department of Revenue and Taxation, and  
2 (ii) pays a registration fee to the Treasurer of Guam not to exceed Twenty-five  
3 Dollars (\$25). Upon approval, the Department of Revenue and Taxation shall  
4 issue a Certificate of Registration that states (i) the name and age of the  
5 licensee, (ii) the expiration date of the Certificate and (iii) the licensee's out-of-  
6 Guam driver's licensee number.

7         The Department of Revenue and Taxation may withhold registration of  
8 an out-of-Guam license if (i) the Department of Revenue and Taxation cannot  
9 verify or has cause to doubt the validity of such out-of-Guam license, (ii) the  
10 licensee is unable to document the date of entry into Guam, or (iii) the out-of-  
11 Guam license has been revoked or suspended by the jurisdiction issuing the  
12 license. The Department of Revenue and Taxation may require a prospective  
13 registrant to validate his license through passage of a written exam, road test  
14 or both."

15                 **Section 3.** §3101 (o) of Chapter 3, Title 16, Guam Code Annotated,  
16 is hereby *amended* to read as follows:

17                 “(o) After passing an examination as required under Subsection (g) to

1 include an actual demonstration of ability to exercise ordinary and reasonable  
2 control in the operation of a motorcycle, or upon qualifying under subsection  
3 (d) of this section an applicant may have his operator's, ~~or~~ chauffeur's or  
4 motorcycle permit endorsed by the Director of Revenue and Taxation, or his  
5 designee, authorizing the applicant to operate a motorcycle on the highways  
6 of Guam. The Director of Revenue and Taxation may in his discretion accept  
7 evidence of a military motorcycle permit in lieu of this examination and  
8 endorsement. No person shall operate a motorcycle on the highway without  
9 first complying with this Section except that a person having in his immediate  
10 possession a valid motorcycle operator's license issued by any other territory  
11 or state of the United States, or by a foreign country, may operate a  
12 motorcycle upon the highways for a period not exceeding thirty (30) days  
13 from the date such person arrived in Guam. The requirement that the person  
14 pass an examination and receive an endorsement for operation of a  
15 motorcycle shall not be applicable to the operation of a motorcycle or when a  
16 sidecar is attached to the motorcycle. Any person who operates a motorcycle  
17 in violation of this Title shall be guilty of a petty misdemeanor."



**COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT  
& SENIOR CITIZENS**

**SENATOR ADOLPHO B. PALACIOS, SR.  
CHAIRMAN**

---

*I Mina'Trenta na Liheslaturan Guåhan*

**PUBLIC HEARING**

**Bill No. 46 (COR): "AN ACT TO AMEND SUBSECTIONS 3101.(d) AND 3101.(o), CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101.(d),(o).**

**I. OVERVIEW**

The Committee on Public Safety, Law Enforcement, & Senior Citizens convened the public hearing on Wednesday, February 4, 2009. Hearing began at 1:35pm on Bill No. 46 (COR). Notices of the hearing were disseminated to all local media outlets via facsimile on January 27 and on January 30, 2009, thus meeting the requirements of the Open Government Law. Notice of the hearing was also posted on the Guam Legislature's website.

Committee Members and Senators present:

Senator Adolpho B. Palacios, Sr., Chairman  
Senator Frank B. Aguon Jr., Member  
Senator Telo Taitague

Individual(s) Registered for oral or written testimony:

Mr. Charles Prine, Oral Testimony, In favor of Bill No. 46 (COR)

**II. SUMMARY OF TESTIMONIES**

**Chairman Adolpho B. Palacios, Sr. called the Committee on Public Safety, Law Enforcement, and Senior Citizens to order at 1:35pm, welcomed and introduced Senators present.**

Chairman Palacios introduced this bill in response to requests on behalf of individuals re-locating to Guam who are having difficulty in obtaining an operator license through the reciprocal agreement. Under the current law, provisions exist that recognizes operators and chauffeur's licenses issued in another state, territory or commonwealth

but makes no mention of motorcycle licenses. There are no additional costs for the inclusion of a motorcycle permit endorsement on an operator's license. This bill recognizes the legitimate authority of other jurisdictions to issue an operator or motorcycle license.

Chairman Palacios called those who are present to testify.

**Mr. Charles Prine, representing himself, Oral Testimony, In Favor of Bill No. 46(COR)** Mr. Prine has been on Guam for one year. When he came to Guam and was ready to change his license, he was re-issued a Guam Driver's license without the motorcycle endorsement. He inquired about the motorcycle endorsement, and was told that he would have to take a written and road test. Mr. Prine stated that this is a good bill because it aligns Guam licensing with the rest of states of the United States and is with the current reciprocity for operator's license.

**Chairman Palacios** read from the actual bill on the section that honors all other territories, commonwealths, and states. He stated that this is not a new idea and that no one has expressed any apprehension in allowing the inclusion of the motorcycle endorsement in Guam's licensing. He also stated that there are no other fees included. However, if one were to choose to keep their stateside license, a person will have to follow the procedures for licensing.

Chairman Palacios allowed Senators to give comments and/or questions.

**Senator Frank Aguon Jr.,** commented that he had concerns that no representative from the Department of Revenue and Taxation were present as this bill would impact the agency. The senator encouraged the administration of the Department of Revenue and Taxation to submit a written testimony. He thanked Mr. Prine for his testimony and in closing wanted to be added as a sponsor to the bill.

**Senator Telo Taitague** thanked Mr. Prine for his Testimony.

Chairman Palacios concluded the hearing and requested that written testimony be submitted within the next five (5) days. He adjourned the hearing at 1:50pm.

### III. WRITTEN TESTIMONIES

No written testimony received within the five (5) day period after the public hearing.

### IV. FINDINGS AND RECOMMENDATIONS

The Committee on Public Safety, Law Enforcement, & Senior Citizens finds that Bill No. 46(COR) intends to include operators with a valid motorcycle license issued by any other territory, commonwealth or state of the United States in the provisions of 16 GCA chapter 3 §3101. (d), (o) and treats individuals with a valid motorcycle operator's license issued in any other territory, commonwealth, or government of the United States, equal as those issued for operator's and chauffeurs license.

Accordingly, the Committee on Public Safety, Law Enforcement, & Senior Citizens to which **Bill No. 46(COR)** was referred does hereby submit its findings and recommendations to *I Mina'Trenta na Liheslaturan Guåhan* **TO PASS** Bill No. 46 (COR), "AN ACT TO AMEND SUBSECTIONS 3101.(d) AND 3101.(o), CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101.(d),(o)."



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT  
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.  
CHAIRMAN

---

*I Mina'Trenta na Liheslaturan Guåhan*

January 27, 2009

(Pursuant to §8107, Title 5 GCA -  
5 working days prior to hearing date)

**-CORRECTION NOTICE-  
PUBLIC HEARING NOTICE**

The Committee on Public Safety, Law Enforcement, and Senior Citizens has scheduled a public hearing at 1:30 pm, Wednesday, February 4, 2009 at *I Liheslaturan Guåhan's* Public Hearing Room in Hagåtña, on the following:

- BILL No. 46 (COR)- "AN ACT TO AMEND SUBSECTIONS 3101.(d) AND 3101.(o), CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101.(d),(o)." – by Senator Adolpho B. Palacios, Sr.

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Adolpho B. Palacios, Sr., or via fax to 472-5022, or via email to [SenABPalacios@gmail.com](mailto:SenABPalacios@gmail.com). Copies of the aforementioned Bills may be obtained at *I Liheslaturan Guåhan's* website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Jonathan Diaz or Priscilla Cruz at 472-5047/5048.

Office/Mailing Address: 155 Hester Place, Hagåtña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: [SenABPalacios@gmail.com](mailto:SenABPalacios@gmail.com)



OFFICE OF SENATOR  
**ADOLPHO B. PALACIOS, SR.**  
I MINA'TRENTA NA LIHESLATURAN GUAHAN

**FACSIMILE TRANSMITTAL SHEET**

**DATE:** January 26, 2009

**TO:** KUAM 637-9870  
TV 14 637-8819  
PDN 477-3079  
Marianas Variety 648-2007  
K-57/Power 98 477-3982  
Hit Radio 100 472-7663  
KStereo/KISH 477-6411

**FROM:** Office of Senator Adolpho B. Palacios, Sr.

**SUBJECT:** Public Hearing Notice.

**PAGES:** 2 (including this sheet)

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URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

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NOTES/COMMENTS:

MULTI COMMUNICATION REPORT

JAN-27-2009 08:29 AM TUE

FAX NUMBER :  
NAME :

REF. NAME :  
PAGES : 2

1. SUCCESSFUL

FAX NUMBER	NAME
6378819	
4773079	
6482007	
4773982	
4727663	
4776411	

2. UNSUCCESSFUL

FAX NUMBER	NAME
6379870	

3. MULTI COMMUNICATION JOURNAL

NO.	NAME/NUMBER	START TIME	TIME	MODE	PAGE	RESULTS
246	6378819	01-27 08:23AM	00' 16"	ECM BC	002/002	[ O.K ]
246	4773079	01-27 08:24AM	00' 36"	ECM BC	002/002	[ O.K ]
246	6482007	01-27 08:25AM	00' 14"	ECM BC	002/002	[ O.K ]
246	4773982	01-27 08:26AM	00' 16"	ECM BC	002/002	[ O.K ]
246	4727663	01-27 08:27AM	00' 14"	ECM BC	002/002	[ O.K ]
246	4776411	01-27 08:27AM	00' 34"	ECM BC	002/002	[ O.K ]
246	6379870	01-27 08:28AM	00' 00"	G3 BC	000/002	[ NO ANSWER ]

MESSAGE CONFIRMATION

JAN-27-2009 08:37 AM TUE

FAX NUMBER :  
NAME :

NAME/NUMBER : 6379865  
PAGE : 2  
START TIME : JAN-27-2009 08:36AM TUE  
ELAPSED TIME : 00'18"  
MODE : STD ECM  
RESULTS : [ O.K ]



OFFICE OF SENATOR  
**ADOLPHO B. PALACIOS, SR.**  
I MINA'TRENTA NA LIHESLATURAN GUAHAN

FACSIMILE TRANSMITTAL SHEET

DATE: January 26, 2009

TO:	KUAM	637-8870
	TV 14	637-8819
	PDN	477-3079
	Marianas Variety	648-2007
	K-57/Power 98	477-3882
	Hik Radio 100	472-7683
	KStereo/KISH	477-6411

FROM: Office of Senator Adolpho B. Palacios, Sr.

SUBJECT: Public Hearing Notice.

PAGES: 2 (including this sheet)

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT  
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.  
CHAIRMAN

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*I Mina'Trenta na Liheslaturan Guahan*

January 30, 2009

(Pursuant to §8107, Title 5 GCA -  
48 hours prior to hearing date)

**PUBLIC HEARING NOTICE**

(2<sup>nd</sup> Notice)

The Committee on Public Safety, Law Enforcement, and Senior Citizens has scheduled a public hearing at 1:30 p.m., Wednesday, February 4, 2009 at *I Liheslaturan Guahan's* Public Hearing Room in Hagatña, on the following:

- **Bill No. 46 (COR)** – “AN ACT TO AMEND SUBSECTIONS 3101.(d) AND 3101.(o), CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED, TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101.(d),(o).” – by Senator Adolpho B. Palacios, Sr.

The Committee requests that, if written testimonies are to be presented at the hearing, copies be submitted one day prior to the public hearing date, to the Office of Senator Adolpho B. Palacios, Sr., or via fax to 472-5022, or via email to [SenABPalacios@gmail.com](mailto:SenABPalacios@gmail.com). Copies of the aforementioned Bills may be obtained at *I Liheslaturan Guahan's* website at [www.guamlegislature.com](http://www.guamlegislature.com). Individuals requiring special accommodations or services, please contact Jonathan Diaz or Priscilla Cruz at 472-5047/5048.

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MULTI COMMUNICATION REPORT

JAN-30-2009 10:00 AM FRI

FAX NUMBER :  
NAME :

REF. NAME :  
PAGES : 2

1. SUCCESSFUL

FAX NUMBER	NAME
6379865	
6378819	
4773079	
6482007	
4773982	
4727663	
4776411	

2. UNSUCCESSFUL

FAX NUMBER	NAME
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3. MULTI COMMUNICATION JOURNAL

NO.	NAME/NUMBER	START TIME	TIME	MODE	PAGE	RESULTS
249	6379865	01-30 09:54AM	00' 18"	ECM BC	002/002	[ O.K ]
249	6378819	01-30 09:55AM	00' 16"	ECM BC	002/002	[ O.K ]
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249	6482007	01-30 09:57AM	00' 16"	ECM BC	002/002	[ O.K ]
249	4773982	01-30 09:58AM	00' 18"	ECM BC	002/002	[ O.K ]
249	4727663	01-30 09:58AM	00' 18"	ECM BC	002/002	[ O.K ]
249	4776411	01-30 09:59AM	00' 36"	ECM BC	002/002	[ O.K ]



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT  
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.  
CHAIRMAN

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*I Mina Trenta na Liheslaturan Guåhan*

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**FACSIMILE TRANSMITTAL SHEET**

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**FROM:** Office of Senator Adolpho B. Palacios, Sr.

**SUBJECT:** Public Hearing Notice (2<sup>nd</sup> notice).

**PAGES:** 2 (including this sheet)

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URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

---

NOTES/COMMENTS:

**PLEASE SEE ATTACHED PUBLIC HEARING NOTICE. THANK YOU.**



COMMITTEE ON PUBLIC SAFETY, LAW ENFORCEMENT  
& SENIOR CITIZENS

SENATOR ADOLPHO B. PALACIOS, SR.  
CHAIRMAN

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*I Mina'Trenta na Liheslaturan Guahan*

**PUBLIC HEARING**

Wednesday, February 4, 2009

1:30 p.m.

Public Hearing Room, *I Liheslaturan Guahan*

Notices for the public hearing were disseminated to all local media via fax on January 27, 2009 and on January 30, 2009, pursuant to the Open Government Law.

**A G E N D A**

- **Bill No. 46 (COR)** – “AN ACT TO AMEND SUBSECTIONS 3101.(d) AND 3101.(o), CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED, TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101.(d),(o).” – by Senator Adolpho B. Palacios, Sr.

The Committee will allow up to ten (10) days after the public hearing date for submission of testimonies written or electronic, to Senator Adolpho B. Palacios, Sr., Chairman, Committee on Public Safety, Law Enforcement, and Senior Citizens. Deadline for submission of testimonies will be February 14, 2009, after which time the Committee will prepare the Committee Report, in preparation for consideration by the legislative body.

Office/Mailing Address: 155 Hester Place, Hagatña Guam 96910

Telephone No. (671) 472-5047/5048 • Fax No. (671) 472-5022 • Email: SenABPalacios@gmail.com



LIFESTYLE

GOVERNMENT MEETINGS

Today

▲ Guam Board of Barbering and Cosmetology: Regular meeting 9 a.m., Health Professional Licensing Office, Suite 9, Legacy Square Commercial Complex, Route 10, Mangilao. For special accommodations, call 735-7406/11.

Tomorrow

▲ Port Authority of Guam: Board of directors special meeting 2 p.m., board conference room, Cabraat Island. PH: Mobil e-commerce agreement; bsnair's agent/ver-guar services; executive session; Guam YTK. For special accommodations, call Simone Delos Santos, 477-5931/4, ext. 430, or pager 635-1351.

Issues: Public hearing on Bill 46, to permit use of motorcycle licenses issued by any other territory, commonwealth or state of the U.S., at 1:30 p.m. in the Legislature's public hearing room, Hagåtña. For special accommodations, call Elicia Cruz, 473-5047/8.

▲ Department of Chambers: Affairs Board of business meeting 4 p.m., fourth floor, Suite 408, DNA Building, Hagåtña. Public is invited. For special accommodations, call 473-4278/9.

▲ Guam Hoisting Corp.: Board of directors meeting 2 p.m., GHC conference room, fifth floor, ITC Building, Tamuning. For special accommodations, call 647-4143, ext. 140.

▲ Mayors Council of Guam: Regular meeting 10 a.m., council conference room, J & G Commercial Center, Suite 111F, Hagåtña. Call Elaine Schraef, 472-6940 or 477-9461.

▲ Guam Hoisting Corp.: Board of directors meeting 2 p.m., GHC conference room, ITC Building, Tamuning. For special accommodations, call 647-4143, ext. 140.

Feb. 5

▲ Civil Service Commission: Board meeting 5:30 p.m., seventh

floor conference room, ITC Building, Tamuning. Signing judgment of dismissal: Philip S.J. Tujanon Jr. vs. Cyprian; vacation-hearing: Raymond C. Benavente vs. Guam Police Department, Josephus Torres vs. Department of Public Works, Liberty Perez vs. DPW; bills and laws relating to CSC. For special accommodations, call Bianca at 647-1854/7 at TDD 647-1872.

▲ Guam Community College Board of Trustees Monthly meeting 6 p.m., GCC president's conference room, second floor, Student Services and Administration building, Mangilao. For special accommodations, call 735-5597.

▲ Public Utilities Commission of Guam: Special meeting noon, Suite 206, GCIC Building, Hagåtña. Guam Power Authority contract review of settlement with Cathay Bank on debt obligation and proposed order. Call 472-1907.

Feb. 6

▲ Committee on Guam Military Building and Homeland Security: Confirmation hearing at 9 a.m. on nomination of Col. Dennis Santos to Torres to serve as director of Customs and Quarantine Agency of Guam, Legislature's public hearing

room, Hagåtña. For special accommodations, call 473-3841.  
▲ Guam Board of Allied Health Professionals: Regular meeting noon, Health Professional Licensing Office, Suite 9, Legacy Square Commercial Complex, Route 10, Mangilao. For special accommodations, call 735-7406/11.

Feb. 9

▲ Committee on Economic Development, Health and Human Services and Judiciary: Public hearing on appointments of David Shinjui as Director, Department of Mental Health and Substance Abuse, Francis P. Carnacho and Abrold C. Jose to serve as members of Guam Economic Development Authority at 9 a.m., Legislature's public hearing room. Submit testimony to Sen. Frank Aguin Jr.'s office, Suite 701A, DNA Building, Hagåtña, or e-mail: aguin4guam@gmail.com. For special accommodations, call Naasaba Aguin or Frances Lizama, 969-1495/6.

▲ Port Authority of Guam: Public hearing on proposed personnel rules and regulations for maritime-related positions unique to port operations and certified, technical and professional employees at 2 p.m., board conference room, PH. Everyone is invited. Submit testimony online: comments@portguam.com. For special accommodations, call 477-5931, ext. 302/303.

Feb. 12

▲ Guam Board of Nurse Examiners: Regular meeting 4 p.m., Health Professional Licensing Office, Suite 9, Legacy Square Commercial Complex, Route 10, Mangilao. For special accommodations, call 735-7408/11.

Sweet GIFT IDEAS

News & Brews

I MINA'TRENTA NA LIHESLATURAN GUÅHANO  
2009 (FIRST) Regular Session

1 JUN 23 AM 11:00 fr

Bill No. 46 (COR)

Introduced by:

Adolpho B. Palacios, Sr. 

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AN ACT TO AMEND SUBSECTIONS 3101.(d) AND 3101.(o), CHAPTER 3, TITLE 16 GUAM CODE ANNOTATED TO PERMIT THE USE OF MOTORCYCLE LICENSES ISSUED BY ANY OTHER TERRITORY, COMMONWEALTH, OR STATE OF THE UNITED STATES PURSUANT TO §3101.(d),(o).

BE IT ENACTED BY THE PEOPLE OF THE TERRITORY OF

GUAM:

1       **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guahan* finds  
2 that many residents that possess a valid motorcycle operator license issued in  
3 another territory, Commonwealth or state of the United States are finding it  
4 difficult to obtain a motorcycle operators license in the Territory of Guam.

5       *I Liheslaturan Guahan* further finds that Title 16 Guam Code Annotated  
6 Chapter 3 Section 3101.(d) provides reciprocity for persons who possess a  
7 valid operators and chauffeur's license issued in another territory,

1 Commonwealth or state of the United States, by waiving the requirement for a  
2 written or demonstration exam in order to get a Guam license, but, makes no  
3 mention of motorcycles licenses.

4 *I Liheslaturan Guahan* further finds that the latest Cycle Safety Information  
5 Sheet released by the Motorcycle Safety Foundation indicates that 49 of 50  
6 states in the nation already require some form of primary skills test and or  
7 written examination prior to issuing a motorcycle operators license. In  
8 addition, the information sheet also indicates that all 50 states have a  
9 reciprocal license waiver program that recognizes licenses issued by other  
10 states or territories.

11 It is therefore, the intent of *I Liheslaturan Guahan* to permit the use of  
12 motorcycle licenses issued by any other territory, Commonwealth, or state of  
13 the United States by amending Title 16 Guam Code Annotated, Chapter 3,  
14 Subsection 3101 (d) and (o).

15 **Section 2.** §3101.(d) of Chapter 3, Title 16, Guam Code  
16 Annotated, is hereby *amended* to read as follows:

1           “(d) A person having in his immediate possession a valid operator’s,  
2 ~~license or~~ chauffeur’s or motorcycle operator’s license issued by any other  
3 territory, Commonwealth, or state of the United States, may drive a motor  
4 vehicle or a motorcycle upon the roads and highways for a period not  
5 exceeding thirty (30) days from the date such person arrived on Guam.  
6 However, upon the expiration of such thirty (30) day period, such person  
7 must have been issued a Guam driver’s license in order to continue driving on  
8 Guam. Such person shall be exempted from taking the written driver’s license  
9 examination or demonstration test. Upon issuance of the Guam driver’s  
10 license, such person shall surrender the driver’s license previously issued by  
11 the other United States jurisdiction, to the Division of Motor Vehicles of the  
12 Department of Revenue and Taxation, unless the Director of Revenue and  
13 Taxation has adopted other procedures for the disposition of the previously  
14 issued license from the other United States jurisdiction.

15           The thirty (30) days period herein may be extended for a period equal to  
16 the earlier of one (1) year from the date the licensee arrived on Guam or the  
17 expiration date of the out-of-Guam license, provided that the licensee (i)

1 registers his or her license with the Department of Revenue and Taxation, and  
2 (ii) pays a registration fee to the Treasurer of Guam not to exceed Twenty-five  
3 Dollars (\$25). Upon approval, the Department of Revenue and Taxation shall  
4 issue a Certificate of Registration that states (i) the name and age of the  
5 licensee, (ii) the expiration date of the Certificate and (iii) the licensee's out-of-  
6 Guam driver's licensee number.

7       The Department of Revenue and Taxation may withhold registration of  
8 an out-of-Guam license if (i) the Department of Revenue and Taxation cannot  
9 verify or has cause to doubt the validity of such out-of-Guam license, (ii) the  
10 licensee is unable to document the date of entry into Guam, or (iii) the out-of-  
11 Guam license has been revoked or suspended by the jurisdiction issuing the  
12 license. The Department of Revenue and Taxation may require a prospective  
13 registrant to validate his license through passage of a written exam, road test  
14 or both."

15       **Section 3.** §3101 (o) of Chapter 3, Title 16, Guam Code Annotated,  
16 is hereby *amended* to read as follows:

17       “(o) After passing an examination as required under Subsection (g) to

1 include an actual demonstration of ability to exercise ordinary and reasonable  
2 control in the operation of a motorcycle, or upon qualifying under subsection  
3 (d) of this section an applicant may have his operator's, ~~or~~ chauffeur's or  
4 motorcycle permit endorsed by the Director of Revenue and Taxation, or his  
5 designee, authorizing the applicant to operate a motorcycle on the highways  
6 of Guam. The Director of Revenue and Taxation may in his discretion accept  
7 evidence of a military motorcycle permit in lieu of this examination and  
8 endorsement. No person shall operate a motorcycle on the highway without  
9 first complying with this Section except that a person having in his immediate  
10 possession a valid motorcycle operator's license issued by any other territory  
11 or state of the United States, or by a foreign country, may operate a  
12 motorcycle upon the highways for a period not exceeding thirty (30) days  
13 from the date such person arrived in Guam. The requirement that the person  
14 pass an examination and receive an endorsement for operation of a  
15 motorcycle shall not be applicable to the operation of a motorcycle or when a  
16 sidecar is attached to the motorcycle. Any person who operates a motorcycle  
17 in violation of this Title shall be guilty of a petty misdemeanor."